

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

THOMAS BURKO,

Plaintiff,

V.

CAROLYN W. COLVIN, Acting Commissioner  
of Social Security,

**Defendant.**

Case No. C13-949-RSM

## **ORDER REVERSING AND REMANDING CASE FOR FURTHER ADMINISTRATIVE PROCEEDINGS**

The Court, after careful consideration of the plaintiff's complaint, the parties' briefs, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the balance of the record, does hereby find and **ORDER**:

- (1) The Court adopts the Report and Recommendation.
- (2) The Commissioner's decision is **REVERSED** and the case is **REMANDED** to the Social Security Administration for further proceedings consistent with the Report and Recommendation.
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Tsuchida.

DATED this 15<sup>th</sup> day of November 2013.

  
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RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE